

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
(HOUSTON DIVISION)

In re:

UPLIFT RX, LLC, *et al.*,
Debtors.

CASE NO. 17-32186, et seq. CHAPTER 11

_____/

MICHAEL FOREMAN, Liquidating Trustee
of the Alliance Health Liquidating Trust,
Plaintiff,

ADV. NO. 22-03275

v.

BAKER & HOSTETLER, LLP,
Defendant.

JOINT MOTION TO SUSPEND CASE SCHEDULE

[Relates to Dkt. No. 40]

By this Motion, Plaintiff Michael Foreman, Liquidating Trustee of the Alliance Health Liquidating Trust (“Trustee”) and Defendant Baker & Hostetler, LLP (“Baker”) jointly move the Court to suspend the current case schedule pending the Court’s ruling on Baker’s Motion to Dismiss (Dkt. No. 151), and in support state:

1. On February 2, 2023, the Court entered the operative Comprehensive Schedule, Pre-Trial and Trial Order (“Scheduling Order”) (Dkt. No. 40).
2. Under the Scheduling Order, the deadline for initial expert reports is March 17, 2024.
3. The hearing on Baker’s Motion to Dismiss is scheduled for March 18, 2024 at 3:00 p.m.
4. The Parties have conferred and – subject to the Court’s approval – have agreed to vacate the existing deadlines under the Scheduling Order and to submit a revised case schedule after the Court rules on Baker’s pending Motion to Dismiss.

Vacating the existing Scheduling Order is in the best interests of the Parties because it allows the Parties to avoid unnecessary expenditure of time and expense needed to engage in extensive discovery and preparation of expert reports while the Motion to Dismiss remains pending.

Accordingly, the Parties respectfully request that the Court grant this Joint Motion, vacate the Scheduling Order, and grant such other relief as the Court deems appropriate.

Dated: March 11, 2024

Respectfully Submitted,

MCKOOL SMITH, PC

VINSON AND ELKINS, LLP

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By: /s/ Michael C. Lee

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Attorneys for Baker & Hostetler LLP

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CERTIFICATE OF CONFERENCE

I hereby certify that on March 6, 2024, Plaintiff's counsel conferred with Defendant's Counsel, Mr. Michael Lee, with regards to the Joint Motion to Suspend Case Schedule and agreed with said joint motion.

/s/ Veronica Manning

Veronica Manning

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this the 11th day of March 2024, with a copy of this document via the Court's CM/ECF system.

/s/ Joshua J. Newcomer

Joshua J. Newcomer